

Message Text

SECRET

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ACTION NODS-00

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FM AMEMBASSY CAIRO

TO SECSTATE WASHDC IMMEDIATE 6578

S E C R E T CAIRO 9312

NODIS

EO 11652: GDS

TAGS: PFOR XF EG IS US

SUBJECT: HANDLING OF PROTOCOL IN GENEVA WORKING GROUP

REF: STATE 223626

1. I CALLED FAHMY THIS MORNING TO RAISE WITH HIM INITIALING/SIGNING PROCEDURE AS SUGGESTED BY THE ISRAELIS. I TOLD HIM THAT WE REGARD THE PROPOSED SEQUENTIAL PROCEDURE AS A PRACTICAL WAY TO HANDLE THE PROBLEM, SINCE IT IS UNLIKELY THAT WE WILL HAVE COMPLETED CONGRESSIONAL ACTION BEFORE THE PROTOCOL IS READY EARLY NEXT WEEK. I ASKED FOR HIS CONCURRENCE THAT THAT EGYPTIAN DELEGATION IN GENEVA BE SO INSTRUCTED.

2. FAHMY'S REACTION WAS NEGATIVE. HE HAD HEARD ABOUT THE ISRAELI PROPOSAL YESTERDAY IN A MESSAGE FROM THE EGYPTIAN DELEGATION IN GENEVA. HE SEES THIS RABIN PROPOSAL AS FURTHER EVIDENCE OF AN ISRAELI DESIRE TO STALL. HE RECALLED THAT HE HAD WARNED THE SECRETARY DURING THE ALEXANDRIA SHUTTLE THAT THIS MIGHT HAPPEN AND HAD STRESSED GOE WILL INSIST UPON EXPEDITIOUS SIGNING OF THE PROTOCOL.

3. FAHMY CONTENDED THAT SIGNING THE PROTOCOL SHOULD BE TOTALLY INDEPENDENT OF ACTION ON THE US PROPOSAL. THE PROTOCOL SHOULD BE SIGNED AS SOON

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AS IT IS READY AND HE ARGUED THE PREAMBULAR LANGAUGE

OF THE ANNEX SUPPORTS THIS. THERE IS NO NEED FOR A PRELIMINARY INITIALING STEP PENDING CONGRESSIONAL APPROVAL OF THE US PROPOSAL. THE AGREEMENT AND ANNEX SHOULD AND COULD STAND ON THEIR OWN FEET.

4. I REMINDED HIM THAT, AS HE KNEW, THE ISRAELIS HAVE MADE THEIR ACCEPTANCE OF THE AGREEMENT CONDITIONAL UPON AN AMERICAN PRESENCE. HE ACKNOWLEDGED THIS AND INDICATED GOE ALSO WANTS AN AMERICAN PRESENCE. GOE, HOWEVER CANNOT ACCEPT THE PROPOSITION THAT IMPLEMENTATION OR CONTINUATION OF THE AGREEMENT IS CONDITIONED UPON AN AMERICAN PRESENCE. HE RECALLED PARA 8 OF THE US PROPOSAL ALLOWS FOR THE CONTINGENCY THAT THE USG MAY AT SOME TIME WITHDRAW THE AMERICANS IN WHICH CASE "ALTERNATIVE ARRANGEMENTS" WOULD HAVE TO BE WORKED OUT. JUDGING FROM ALL REPORTS, HE ASSUMED THE CONGRESS WILL APPROVE THE US PROPOSAL, BUT EVEN IF THERE IS A "5 PERCENT" CHANCE THAT IT WILL NOT, GOE CANNOT ACCEPT ANY INTERPRETATION SUGGESTING THAT IN SUCH AN EVENTUALITY THE AGREEMENT IS INVALID. SHOULD THERE BE CONGRESSIONAL REJECTION, HE ARGUED, IT WOULD THEN BE UP TO THE USG TO SO ADVISE THE PARTIES UNDER PARAGRAPH 8 OF THE US PROPOSAL SO THEY CAN MAKE THE "ALTERNATIVE ARRANGEMENTS" MENTIONED THEREIN. SINCE THIS CONTINGENCY HAS ALREADY BEEN TAKEN INTO ACCOUNT, HE COULD NOT AGREE THAT SIGNING MUST AWAIT APPROVAL.

5. I POINTED OUT THAT HE WAS TALKING ABOUT TWO SEPARATE THINGS -- INITIAL FINALIZATION OF THE AGREEMENT AND WHAT MIGHT HAPPEN IF AT SOME FUTURE DATE THE USG FELT IT HAD TO WITHDRAW ITS PEOPLE. THERE IS NOTHING IN THE AGREEMENT OR ANNEX ABOUT "ALTERNATIVE ARRANGEMENTS". THUS, HIS CONTENTION COULD HARDLY BE SUSTAINED. HE INSISTED ON HIS POSITION AND THAT GOE WANTS SIGNING TO TAKE PLACE AS SOON AS THE PROTOCOL IS FINISHED.

6. FAHMY ALSO RECALLED THAT THE SECRETARY HAD
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TOLD PRESIDENT SADAT AND HIM IN ALEXANDRIA THAT WE BELIEVE CONGRESSIONAL ACTION WOULD BE COMPLETED BY THE TIME THE PROTOCOL IS READY. SINCE WE HAVE NOW APPARENTLY CHANGED THIS ESTIMATE, HE WONDERED WHEN CONGRESSIONAL ACTION IS LIKELY TO BE COMPLETED.

7. COMMENT: FAHMY'S REACTION WAS PREDICTABLE

AND REFLECTS (A) GOE ANXIETY TO GET
SIGNING OUT OF THE WAY, AND (B) CONTINUING MISTRUST
OF ISRAELI INTENTIONS. EGYPTIAN CASE IS WEAK, BUT
WE MAY EXPECT THEM TO PUSH STRONGLY FOR IT. OUR
SIDING WITH ISRAELIS WILL SIT BADLY HERE AND
BE VIEWED AS US SUPPORT FOR ISRAELI DESIRE TO
STAVE OFF IMPLEMENTATION AS LONG AS POSSIBLE.
BEST WAY TO GET EGYPTIANS TAKE ANOTHER LOOK AT THE
PROBLEM, WITHOUT IMPUGNING OUR MOTIVES, IS IF WE
CAN GIVE THEM SOME ASSURANCE CONGRESSIONAL
ACTION WILL BE COMPLETED IN WEEK OR SO AFTER PROTOCOL
COMPLETED. I DO NOT, OF COURSE, KNOW IF WE CAN
MAKE SUCH ESTIMATE.

8. SUGGEST DEPT PASS THIS MESSAGE TO TEL AVIV AND
GENEVA FOR SAUNDERS.
EILTS

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NNN

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